

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE**

TOMMY EARL JONES,

Plaintiff,

v.

OFFICER STACY and

UNKOWN OFFICER,

Defendants.

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No. 3:23-CV-53-KAC-DCP

**JUDGMENT ORDER**

Plaintiff has failed to pay the filing fee in this pro se civil rights action under 42 U.S.C. § 1983, and the deadline to do so has long passed [*See* Doc. 5]. The Court previously warned that “[i]f Plaintiff fails to timely pay the filing fee, the Court will dismiss this action without prejudice.” [*Id.* at 3]. That warning has come to fruition. Accordingly, the Court **DISMISSES** this action without prejudice. Plaintiff is also assessed the filing fee of \$402.00. *See In re Alea*, 286 F.3d 378, 380-81 (6th Cir. 2002). Further, the Court **CERTIFIES** that any appeal from this decision would not be taken in good faith and would be totally frivolous. *See* 28 U.S.C. § 1915(a)(3). Therefore, if Plaintiff should file a notice of appeal, the Court **DENIES** leave to proceed *in forma pauperis* without further authorization. *See* 28 U.S.C. § 1915(a)(3); Fed. R. App. P. 24(a)(3).

**SO ORDERED.**

s/ Katherine A. Crytzer  
KATHERINE A. CRYTZER  
United States District Judge

ENTERED AS A JUDGMENT:

/s/ LeAnna R. Wilson  
CLERK OF COURT